

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/17/2024

UNITED STATES OF AMERICA,

-against-

BORIS AMINOV, CHRISTY CORVALAN, IRINA
POLVANNOVA, ROMAN SHAMALOV, ANTONIO
PAYANO, DAVID FERNANDEZ, CRYSTAL
MEDINA, JUAN HERNANDEZ, a/k/a “Pop,” and
ALBERT YAGUDAYEV, a/k/a “Jeff,”

Defendants.

1:23-cr-110-MKV

ORDER DENYING
WITHOUT PREJUDICE
DEFENDANT YAGUDAYEV’S
MOTION TO SUPPRESS

MARY KAY VYSKOCIL, United States District Judge:

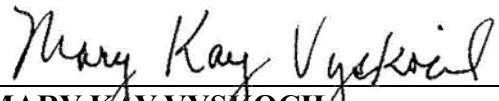
On March 29, 2024, Defendant Albert Yagudayev filed a motion to suppress (the “Motion”) pursuant to Federal Rule of Criminal Procedure 12 and the Fourth Amendment, seeking to suppress evidence obtained following the execution of a October 27, 2023 Electronically Stored Information search warrant (the “Search Warrant”). [ECF No. 204]. However, defense counsel for Yagudayev—without leave of the Court—filed on the docket a heavily redacted version of the accompanying Memorandum of Law. Not only did defense counsel not obtain permission from the Court to file a redacted version on the docket in violation of Local Rule 5.2 and Individual Rule 9, but defense counsel also failed to provide the Court with the unredacted version either by email to Chambers or by filing the unredacted version with the District’s Sealed Records Department. *See* Individual Rule 9; *see also* Southern District’s ECF Privacy Policy and Notice Regarding Privacy and Public Access to Electronic Civil and Criminal Case Files.

Accordingly, IT IS HEREBY ORDERED that the motion to suppress filed by Defendant Albert Yagudayev is hereby DENIED without prejudice for, *inter alia*, failure to comply with Court Individual Rules, failure to obtain leave before filing a redacted motion, and because it is simply impracticable for the Court to rule on Defendant’s motion that is based on a heavily

redacted brief. If Defendant wishes to refile his motion in compliance with the Local Rules and Individual Rules and in a format that allows the Court to know what Defendant is contending, he must do so no later than May 24, 2024. The Clerk of Court is respectfully requested to terminate docket entry numbers 204 and 210.

SO ORDERED.

Date: May 17, 2024
New York, NY


MARY KAY VYSKOČIL
United States District Judge